

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

SECURITY WALLS, LLC

and

**Cases 13-CA-137736
13-CA-194819**

BRANDON HILEMAN

DECISION AND ORDER

Statement of the Cases

On June 19, 2017, Security Walls, LLC (the Respondent), Charging Party Brandon Hileman, and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

The Respondent's business

At all material times, the Respondent, a limited liability company with an office and primary place of business located in Knoxville, Tennessee, has been engaged in the business of providing security guard services to the various public and private entities including the Fermi Accelerator Laboratory facility located in Batavia, Illinois.

In conducting its operations during the 12-month period preceding the formal settlement stipulation, the Respondent performed services valued in excess of \$50,000. During this same period of time, the Respondent purchased and received at its Batavia, Illinois facility goods, products, and materials valued in excess of \$5,000 directly from points located outside the State of Illinois.

At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that:

The Respondent, Security Walls, LLC, Batavia, Illinois, its officers, agents, successors, and assigns, shall:

1. Cease and desist from
 - (a) Maintaining any reference of Brandon Hileman's unlawful discharge.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Comply with all terms of the informal settlement of Case 13-CA-137736.
 - (b) Send a written letter to the Illinois State Police and Illinois State Police Merit Board informing them that the Respondent unlawfully terminated Brandon Hileman pursuant to the National Labor Relations Act. In the letter, the Respondent will request to correct its error by asking the Illinois State Police to expunge the improper reference from the Respondent and replace it with a neutral reference. The Respondent will provide a copy of this letter to Brandon Hileman and Region 13 of the National Labor Relations Board.
 - (c) To ensure no future mistakes are made in the compliance of the informal settlement of Case 13-CA-137736, all requests for references will be directed to the Respondent's corporate office in Knoxville, TN. Charging Party, Brandon Hileman, will assist in this effort by listing his former employer as Security Walls, LLC, Knoxville, TN. Upon receiving a request for a reference, the Respondent will issue a neutral letter of reference confirming the dates of his employment with the Respondent but NOT stating any reason for his ending employment with the Respondent or whether he is eligible for future employment with the Respondent.
 - (d) Within 14 days of service by the Region, post at its Batavia, Illinois, facility copies of the attached Notice ("Exhibit 5"). Copies of the notice, on forms provided by

Region 13, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material.

(e) Mail to the Regional Director for Region 13, signed copies of the Notice as directed by the Regional Director's designee.

(f) Notify the Regional Director, in writing, within 21 days from the date of this Order, what steps the Respondent has taken to comply.

Dated, Washington, D.C., September 6, 2017.

Philip A. Miscimarra , Chairman

Mark Gaston Pearce, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

EXHIBIT 5

**NOTICE TO EMPLOYEES
POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT fire employees because of their union or protected concerted activities.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL remove from our files all references to the discharge of Brandon Hileman.

WE WILL NOT use Brandon Hileman's discharge against him in any way.

WE WILL provide Brandon Hileman with a neutral letter of reference any time that we are contacted by an individual requesting a reference for Brandon Hileman.

WE WILL send a letter to the Illinois State Police and Illinois State Police Merit Board informing them that we unlawfully terminated Brandon Hileman pursuant to the National Labor Relations Act and **WE WILL** request to modify the improper reference we previously provided to them by requesting that the information be replaced with a neutral reference.

SECURITY WALLS, LLC

The Board's decision can be found at www.nlrb.gov/case/13-CA-137736 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

